

PROB 12C
(7/93)

Report Date: December 19, 2011

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 20 2011

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Aaron A. Maxwell

Case Number: 2:07CR00098-001

Address of Offender: [REDACTED] Spokane, WA 99223

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 02/11/2008

Original Offense: Possession of an Unregistered Firearm, 26 U.S.C. § 5861(d); Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 37 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Pamela J. Byerly

Date Supervision Commenced: 05/28/2010

Defense Attorney: Roger Peven

Date Supervision Expires: 05/27/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On Sunday, November 27, 2011, U.S. Probation Officer Matthew Thompson was notified by the Federal Bureau of Investigation (FBI) that Mr. Aaron Maxwell was present during a gang-related homicide earlier that day.

On Monday, November 28, 2011, Mr. Maxwell telephonically reported the law enforcement contact to Officer Thompson and stated that he had been taken to the police station, questioned by detectives, and then released. Mr. Maxwell reported to the U.S. Probation Office later that same day. During his meeting with Officer Thompson, Mr. Maxwell stated that he had taken his girlfriend out to dinner on Saturday, November 26, 2011. Following dinner, he and his girlfriend attended a party. While they were at the party, Mr. Maxwell reported that early in the morning of Sunday, November 27, 2011, a fight started in the hallway of the hotel which resulted in gunfire. According to Mr. Maxwell's statements to Officer Thompson, at that point he and his girlfriend left the party and got into a friend's vehicle.

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The car Mr. Maxwell and his girlfriend were traveling in was subsequently stopped by the police. Except for Mr. Maxwell and his girlfriend, the other occupants of the vehicle, including the suspected shooter, fled from the scene. According to Mr. Maxwell's statements, he and his girlfriend cooperated with the police.

On December 19, 2011, the undersigned officer was notified by Spokane County Pretrial Services that Mr. Maxwell was arrested on two counts of first degree assault with a firearm/weapon, in relation to the incident which occurred on November 27, 2011.

- 2 **Mandatory Condition # 5:** The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

Supporting Evidence: As related to the supporting evidence outlined in violation 1, Mr. Maxwell has been charged with two counts of first degree assault (with firearm/weapon).

- 3 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: As supported by the information provided in violation 1, Mr. Maxwell attended a party on November 26-27, 2011, with known gang members and/or felons, which resulted in a homicide.

- 4 **Special Condition # 14:** You shall not associate with known street gang members and gang affiliates.

Supporting Evidence: As supported by the information provided in violation 1, Mr. Maxwell attended a party on November 26-27, 2011, with known gang members and/or felons, which resulted in a homicide.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/19/2011

s/M.D. Elvin

M.D. Elvin

Deputy Chief U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date